

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEWAYNE PARKER,

Plaintiff,

v.

THE PEOPLE OF CALIFORNIA,

Defendant.

Case No. 1:23-cv-00246-HBK

ORDER TRANSFERRING CASE TO  
NORTHERN DISTRICT OF CALIFORNIA

This matter comes before the Court upon initial review of the docket. Plaintiff, a prisoner, who is confined in Napa State Hospital, initiated this action by filing a pleading entitled “ex parte writ of habeas corpus” with this Court on February 17, 2023. (Doc. No. 1). Plaintiff appends to this pleading a copy of his “Application Summary for Disability Insurance Benefits.” (*Id.* at 3-26). To the extent discernable, Plaintiff either seeks a ruling or a review of the denial of his claim for social security benefits.<sup>1</sup> (*Id.* at 2).

A complaint for judicial review of a Social Security decision must be filed “in the district court of the United States for the judicial district in which the plaintiff resides, or has his principal place of business, or, if he does not reside or have his principal place of business within any such judicial district, in the United States District Court for the District of Columbia.” 42 U.S.C. §

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<sup>1</sup> It is unclear whether Plaintiff has received a final decision on his application for social security disability insurance benefits.

1 405(g). Generally, a Social Security case that is improperly venued will be transferred to the  
2 proper court. *See Barrett-Barksdale v. Colvin*, 2014 WL 4929444 at \*1 (E.D. Cal. Sept. 30,  
3 2014). Plaintiff resides in Napa County and Napa County is located within the venue of the  
4 United States District Court for the Northern District of California. *See* 28 U.S.C. § 1391(c).  
5 Thus, in the interests of justice the Court transfers this case under 28 U.S.C. § 1406(a).

6 Accordingly, it is **ORDERED**:

7 The Clerk of Court is directed to **transfer** this action to the United States District Court  
8 for the Northern District of California, deny any pending motions as moot, and close this case in  
9 this Court once transfer is complete.

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11 Dated: April 5, 2023

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE

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